

A. G. Contract No. KR97 0886TRN
ADOT ECS File No. JPA 97-41
Project: H4330 01C
Section: SR-387 @ Kortsen Road and
SR-387 @ Rodeo Road

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF CASA GRANDE

THIS AGREEMENT is entered into 2 July, 1997,
pursuant to Arizona Revised Statutes, Sections ~~11~~ 11-951 through 11-
954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and the
CITY OF CASA GRANDE, acting by and through its MAYOR and CITY
COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The City is empowered by Arizona Revised Statutes
Section 48-572 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has authorized
the undersigned to execute this agreement on behalf of the City.

3. The State and the City desire to participate in the
design, construction, maintenance and operation of two new
traffic signals warranted on SR-387 at the intersections of
Kortsen Road and Rodeo Road in the City, hereinafter referred to
as the Project, at an estimated cost of \$454,000.00, for the
safety and benefit of the motoring public.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

Post-it® Fax Note	7671	Date	2-25-98	# of pages	6
To	CANTEN MCEWEN	From	LYNN GILANDY		
Co / Dept	CASA GRANDE	Co.	ECS		
Phone #	520-836-2501	Phone #	255-8088		
Fax #	520-426-9157	Fax #	255-7424		

NO. <u>21675</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>07/02/97</u>
<u>Janet Lee Hurd</u> Secretary of State
By <u>Vicky Greenwood</u>

II. SCOPE

1. The State will:

a. Provide to State standards design plans, specifications and such other documents and services required for construction bidding and construction. Incorporate City review comments as appropriate.

b. Call for bids and award one or more construction contracts for the Project. Administer same and make all payments to the contractor(s). Be responsible for any contractor claims for extra compensation attributable to the State.

c. Upon completion, approve and accept the Project and provide maintenance.

2. The City will:

a. Review the design documents and provide comments.

b. Be responsible for any contractor claims for extra compensation attributable to the City.

c. Upon completion and acceptance by the State, provide electrical energy to operate the signals.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

City of Casa Grande
City Manager
PO Box 15011
Casa Grande, AZ 85230-5011

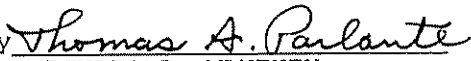
7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.


CITY OF CASA GRANDE

STATE OF ARIZONA
Department of Transportation

By 
ROBERT MITCHELL
Mayor

By 
MICHAEL P. MANTHEY
State Traffic Engineer

ATTEST

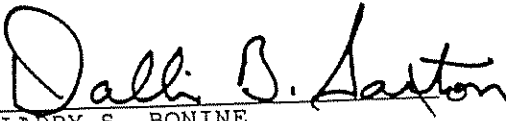
By 
GLORIA HARO
City Clerk

1may

RESOLUTION

BE IT RESOLVED on this 1st day of May 1997, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement the City of Casa Grande for the purpose of defining responsibilities for the design, construction and maintenance of two new warranted traffic signals at the intersections of SR-387 at Kortsen Road and SR-387 at Rodeo Road in the City.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the State Traffic Engineer for approval and execution.


for LARRY S. BONINE
Director

RESOLUTION NO. 2470

A RESOLUTION OF THE COUNCIL OF THE CITY OF CASA GRANDE, ARIZONA, DESIGNATING AN AREA AS THE CENTRAL BUSINESS DISTRICT OF CASA GRANDE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CASA GRANDE, ARIZONA, as follows:

That the area described on the attached map is hereby designated as the single central business district within the City of Casa Grande, pursuant to the provisions of Title 42, Chapter 13, Article 3, of the Arizona Revised Statutes.

PASSED AND ADOPTED by the Mayor and Council of the City of Casa Grande, Arizona, this 19th day of May, 1997.

Ralph N. West
Acting Mayor West

ATTEST:

[Signature]
City Clerk

APPROVED AS TO FORM:

[Signature]
City Attorney

cbdH:\ATTORNEY\DANN\ARES.ORD\cbd

APPROVAL OF THE CASA GRANDE CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and the CITY OF CASA GRANDE and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 10th day of June, 1997.

Kay Sigel
City Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

GRANT WOODS
ATTORNEY GENERAL

TRN Main: (602) 542-1680

Direct: (602) 542-8837

Fax: (602) 542-3646

MAIN PHONE : 542-5025

TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR97-0886TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED June 27, 1997.

GRANT WOODS
Attorney General

A handwritten signature in black ink, reading "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

MESSAGE CONFIRMATION

02/25/98 15:03

ID=ADOT CMS ECS

DATE	S,R-TIME	DISTANT STATION ID	MODE	PAGES	RESULT
02/25	02'20"	520 426 9157	CALLING	07	OK 0000

02/25/98 14:58 ADOT CMS ECS → 95204269157

NO.171 001

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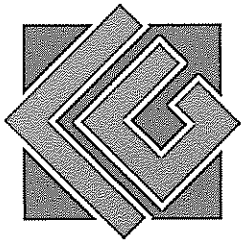
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City of Casa Grande

June 20, 1997

Arizona Department of Transportation
Joint Project Administration
205 South 17th Ave., Mail Drop 616E
Phoenix, Arizona 85222

97-41

RE: A.G. Contract No. KR97 0886TRN

Transmitted herewith are three original agreements for the above referenced project, which have been executed by a City representative. After a state representative has signed the agreements, please forward a copy to me at the below listed address.

Should you have any questions, please call

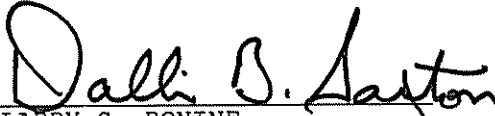
Sincerely,

Gloria Haro, CMC/AAE
City Clerk

RESOLUTION

BE IT RESOLVED on this 1st day of May 1997, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement the City of Casa Grande for the purpose of defining responsibilities for the design, construction and maintenance of two new warranted traffic signals at the intersections of SR-387 at Kortsen Road and SR-387 at Rodeo Road in the City.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the State Traffic Engineer for approval and execution.


for LARRY S. BONINE
Director

Jack Hammitt

From: Mark Poppe
To: Jack Hammitt
Cc: Hank Warner; Ana Olivares; Tom Parlante
Subject: RE: SR 387 at Kortsen and Rodeo
Date: Thursday, May 01, 1997 3:02PM

We will pay for the initial hook-up out of construction budget. The City will pay the monthly bills. Bill Majors will never see any bills. I think my write-up is pretty clear on that point.

From: Jack Hammitt
To: Ana Olivares; Mark Poppe
Cc: Hank Warner; Tom Parlante
Subject: RE: SR 387 at Kortsen and Rodeo
Date: Thursday, May 01, 1997 12:50PM
Priority: High

In which case (1) Bill Major will be greatly disturbed with you, and (2) we don't need an IGA. Recommend you reconsider the utility cost decision.

From: Mark Poppe
To: Ana Olivares; Jack Hammitt
Cc: Hank Warner; Tom Parlante
Subject: RE: SR 387 at Kortsen and Rodeo
Date: Thursday, May 01, 1997 9:53AM

Total project cost (construction and hook-up fees) is estimated at \$454,000.00. There is more detail on the second page of the TRACS1 document. What I failed to note in the write-up is that ADOT will also be responsible for initial charges for util. service.

<<File Attachment: TRACS1.DOC>><<File Attachment: TRACS2.DOC>>

From: Jack Hammitt
To: Ana Olivares; Mark Poppe
Cc: Hank Warner; Tom Parlante
Subject: RE: SR 387 at Kortsen and Rodeo
Date: Thursday, May 01, 1997 8:35AM

<<File Attachment: 97-41.DOC>>No wonder I could'nt find it in my pending file. If this looks ok I'll go ahead and punch it through the system, but I need the correct cost estimate. Punch punch.

From: Ana Olivares
To: Jack Hammitt; Mark Poppe
Cc: Hank Warner; Tom Parlante
Subject: RE: SR 387 at Kortsen and Rodeo
Date: Wednesday, April 30, 1997 4:02PM

The last thing I saw on this is ADOT ECS File No. JPA 97-41, for SR 387 @ Korsten.

From: Jack Hammitt
To: Mark Poppe

Cc: Hank Warner; Ana Olivares; Tom Parlante
Subject: RE: SR 387 at Kortsen and Rodeo
Date: Wednesday, April 30, 1997 2:27PM

I don't have anything on this.

From: Mark Poppe
To: Jack Hammitt
Cc: Hank Warner; Ana Olivares; Tom Parlante
Subject: SR 387 at Kortsen and Rodeo
Date: Wednesday, April 30, 1997 1:33PM

I have combined these two signal projects into one. The Tracs no. for the combined project is H4330 01C. You probably already have the request JPA. I have not gone back and checked what it says, but I will let you know, this is a federally funded project. So, the design and construction will be 100% ADOT funds. The City of Casa Grande will pay the monthly power bills.

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